

## **MEETING #35– September 26**

At a Special Meeting of the Madison Board of Supervisors on September 26, 2011 at 9:00 a.m. at Madison County Administrative Center Auditorium:

PRESENT: James L. Arrington, Chairman  
Jerry J. Butler, Vice-Chairman  
J. Dave Allen, Member  
Eddie Dean, Member  
Pete J. Elliott, Member  
V. R. Shackelford, III, County Attorney  
Lisa Robertson, County Administrator  
Jacqueline S. Frye, Secretary

Chairman Arrington called the meeting to order and established the presence of a quorum, noting that all members are present.

**\*Supervisor Dean arrived at 9:15 a.m.\***

Chairman Arrington then commenced the meeting with the Pledge of Allegiance and a Moment of Silence.

Chairman Arrington advised that the Board has been given a list of recommendations for tasks to be covered during the absence of a County Administrator; therefore, he suggested the Board discuss each individual item and then take action, or take action on the entire document.

After discussion, it was the consensus of the Board to discuss each item and move forward.

### **a. Replacement of County Administrator:**

The County Administrator provided the Board with the name of a very reputable search firm (Springstead, Inc.) and a contact representative to assist with the search to fill the upcoming County Administrator vacancy.

Chairman Arrington asked the Board to authorize him to contact the suggested firm to investigate costs associated with their services to assist in the County's search to fill the vacancy.

Supervisor Butler suggested the Board discuss background abilities before hiring anyone or conducting an initial search for potential applicants, and suggested potential incumbents have the following capabilities:

- i. land management planning; and

- ii. managerial skills;

Additionally, he suggested the County investigate international County and City websites, although these sites do require a fee to join.

The County Administrator suggested the Board utilize the centralized system provided by VACo (as did the school system) and also discuss salary. In closing, he advised it would also be an asset if potential incumbents were familiar with the rural areas (such as Madison County).

Supervisor Elliott suggested the Board compare several companies and have a representative attend a meeting to answer additional questions that each Board member may have.

The County Attorney also suggested the Board contact Adams & Garth as in the past.

The County Administrator suggested the Board contact difference places; also, there is a firm that can offer people with experience in various areas and recommend applicants with specific qualities.

The County Attorney advised that selecting a County administrator is the most important of all decisions; therefore, he strongly suggested the Board make this item top priority. Additionally, he advised that someone needs to be on Board to deal with ongoing projects, and doesn't feel the Board members should be involved in the day-to-day actions within the County offices.

Supervisor Allen advised agreement with the suggestions made, but doesn't feel the Board should rush or limit the search to local individuals only. In closing, he feels if a company is selected to do the search, they can help develop a candidate profile.

Chairman Arrington asked if it was the consensus of the Board to begin contacting firms to find out costs and fees associated with specific services that are offered.

Supervisor Butler asked if there was a way to set up items that can be discussed at the workshop.

Supervisor Elliott suggested the Board ask for a proposal.

Supervisor Dean advised there may be someone readily available and then the search may take one (1) full year; therefore, if the Board is thinking of cutting the current salary, it'll be a very difficult process to find a viable candidate.

After discussion, Supervisor Butler suggested that based on past experience, Supervisor Dean and Chairman Arrington should work with the County Administrator on this

endeavor.

Supervisor Dean suggested the Board advertise an RFP for the upcoming vacancy.

The County Administrator suggested the Board contact a representative from Sprintsted, Inc. first, as they will provide information on quotes, and if the initial fee is less than \$50,000.00, the Board can attain written quotes. In closing, she advised that an RFP is only needed if the cost for services is over \$50,000.00. Additionally, she suggested the Board consider that Supervisor Dean will no longer be available after December 31, 2011, and those who will remain on the Board will need to be involved in the future decisions; therefore, she suggested the Board establish a committee that will be responsible for putting together a list of criteria for consideration.

**b. Selection of a New Animal Control Officer:**

The County Administrator recommended that Robert Finks, Director of Emergency Communications perform the task of reviewing job applications for the vacancy. Additionally, she recommended the Board identify a sub-committee to consist of two (2) members to select candidates to be interviewed and conduct the interviews, and allow Greg Cave, Animal Control Officer, to sit in on the interview and selection process. In closing, she suggested the Board take action in an open meeting to appoint an individual. Additional recommendations included the following:

- i. The County Attorney will be provided with a sample contract that the new officer will need to agree with in the fact that he/she doesn't stay with the County for a period of time, he/she will be responsible for reimbursing the County for costs associated with training;
- ii. Through the County Attorney, the Board should coordinate the use and signature of this agreement with the new incumbent; however, if the Board decides to use the agreement, the new incumbent should not begin work until the Board has a signed copy of the agreement in hand;
- iii. Robert Finks, Director of Communications, should also assist with the task of enrolling the incumbent in the Training Academy;

Supervisor Elliott advised that Mr. Cave does a fine job and also suggested that Mr. Finks be responsible with the task to review the applications and narrow down to the best candidates.

Supervisor Allen verbalized concerns about the Board appointing someone who isn't

The County Administrator advised that Mr. Cave can be involved. Additionally, she suggested Mr. Finks since he and Lewis Jenkins, Director of Emergency Medical Services, have the most experience with the interview process.

After discussion, it was the consensus of the Board to allow Mr. Finks and Mr. Cave to handle the application review process.

Mr. Finks advised that he would like to have Mr. Cave's input. In closing, he feels that other Department Heads may not be very familiar with the day-to-day operations that take place in this specific department regarding animal control calls and dispatch.

**c. Renovation of 538 South Main Street:**

The County Administrator recommended the Board designate one (1) member as the primary contact for staff and the contractor, for monitoring progress of the work on the project.

Supervisor Butler questioned the total of the contract, to which it was advised that the Board approved \$40,000.00.

Supervisor Elliott clarified the actual amount was \$38,000.00 and the Board allowed \$2,000.00 for items that may arise.

After discussion, it was the consensus of the Board to approve the recommendations as suggested by the County Administrator.

**d. Record-keeping/Public Records:**

1. Historically, the Board has designated the County Administrator to perform the duties of the Clerk for the Board, with the assistance of an administrative assistant/secretary; therefore, she recommends:
  - i. The designation of Jacqueline Frye as Acting Clerk for the Board during the interim period;
  - ii. (see Virginia Code 15.2-1538 and -1539 for general description of duties):
2. Minutes, joint meeting with Planning Commission:
  - i. To minimize overtime hours for Mrs. Frye, the County Administrator recommends that Betty Grayson be asked to operate the digital voice recorder at the joint meeting since she is in attendance anyway, to remain and take written notes at the BOS portion of the meeting.
  - ii. Ms. Grayson can return the recorder and her written notes to Mrs. Frye the next day, and Mrs. Frye would continue to be responsible for preparing the official minutes.
  - iii. Betty Grayson and Carol Davis will need to collect plats that will be reviewed at the joint meetings, in an electronic (.PDF) format, and download them to a jump drive that can be used on the computer that's connected to the projector. Brian Daniel can help them with this, if necessary. Additionally,

she suggested asking Brian Daniel to run the overhead projector at the joint meetings. As noted above, since Mr. Daniel is non-exempt for purposes of FLSA, the additional hours worked by him would need to be reported on his timesheet, and if he works in excess of forty (40) hours in a given week, FLSA requires monetary overtime pay or comp time to be granted.

**e. Administrative/Financial Duties:**

Supervisor Allen asked if there was any reason as to why Mrs. Frye couldn't be designated as the interim Clerk to the Board.

Supervisor Dean advised this is the same process that was undertaken in the past when there was no County Administrator and everything worked out very well.

The County Administrator advised it has been the secretary who has actually done all the recording of minutes in the past.

Supervisor Butler advised that he would like to see if Mr. Daniel's hours can be adjusted to include the time he attends the meetings.

Supervisor Dean advised that adjusting Mr. Daniel's hours would really be insignificant based on the amount of funding the County will use in order to find a new cause of the funding that will be needed in order to find a County administrator. In closing, he stated it may take anywhere from six (6) to eight (8) months to fill the vacancy.

Chairman Arrington asked the County Administrator to contact Mr. Daniel to advise of today's recommendations.

**f. Administrative/Financial Duties:**

1. Grant and Compensation Board paperwork: The County Administrator recommended the Board authorize the Finance Director to sign grant applications/agreements and Compensation Board paperwork as "Acting County Administrator" (*some grant agreements and applications can only be signed by someone with the title of the county administrator or chief administrative officer*).

2. Interim Purchasing and Fiscal Authority: The County Administrator recommended the Board authorize the Finance Director to approve certain financial transactions during the period of vacancy of the County Administrator position.

a. Approval of Purchase Orders (currently a PO is required in order to authorize a purchase of more than \$500), up to \$10,000.00, subject to verification of compliance with Purchasing Procedures.

b. Approval of expenditures up to \$10,000.00, subject to verification of compliance with Purchasing Procedures, and authorization to sign contracts and accepts quotes/bids up to that same amount on behalf of the County (subject to Purchasing Procedures).

c. Approval of Line Item Transfers and Use of Contingency, up to \$10,000.00, as necessary to manage department's line item budgets.

3. Interim: Purchases and financial transactions of more than \$10,000.00, should be approved in advance by vote of the BOS in an open meeting.

4. Checks-and-balancing procedures: Our financial accountability procedures requires that the County administrator or the Chairman of the Board of Supervisors have signature authority during the check-issuance process. The Chairman of the Board should contact the Treasurer to verify that bank signature cards are up-to-date.

5. The Chairman will need to fill out DEQ forms to be designated as a responsible party for matters relating to operations of the Transfer Station.

6. Set up Business License Process:

The County Administrator advised that the business license process will take place effectively January 1, 2012 and therefore, suggested the following be carried out:

a. Develop registration form: The County Administrator recommended that Teresa Miller and Cheryl Corbin prepare a draft form for the BOS to review and approve. Once approved, make sure to post the form on the website and make it available at various county offices.

b. Prepare a master list of businesses, with physical address, mailing address, e-mail address (if available) and contact name and telephone number. The County Administrator also recommended asking Bonnie Perryman to take on this task.

c. Publicly advertise January 1<sup>st</sup> effective date for annual registration and payment of license fee.

In closing, the County Administrator suggested the Board vote on the above referenced recommendations.

After discussion, on motion of Supervisor Dean, seconded by Supervisor Butler, the Board voted to adopt the aforementioned recommendations (#1 through #6), as made by the County Administrator, with the following vote recorded:

James L. Arrington	Aye
Jerry J. Butler	Aye

J. Dave Allen	Aye
Eddie Dean	Aye
Pete J. Elliott	Aye

Supervisor Elliott asked the County Attorney if he could assist with the development of the business license form, to which the County Attorney advised that he would.

**g. Personnel Management:**

1. Signature of timesheets for Roger Berry, Mark Ford and Greg Cave: The County Administrator recommended the Payroll Technician sign off on the aforementioned timesheets in the interim period and then refer the documents onto the Financial Director for final approval.
2. Daily check-in and time-out verification for cleaning staff: The County Administrator recommended that Mrs. Frye and the Payroll Technician handle this task.
3. Animal Control and Cleaning Personnel Contact Person: The County Administrator recommended that Robert Finks server as the day-to-day contact person for the Animal Control Officer(s), and for Candice Jones, for assistance with questions and concerns they may have relating to timesheets, approval of time off, or resolution of personnel schedules and other issues, etc.
4. Maintenance and Cleaning Staff Contact Person: The County Administrator recommended that Teresa Miller serve as the day-to-day contact person for the Maintenance and Cleaning Staff (other than Candice Jones), for assistance with questions and concerns relating to timesheets, approval of time off, resolution of personnel schedules and/or other issues, etc.
5. Because of his statutory responsibilities in time of disaster response, the Chairman should be responsible for meeting regularly with the Director of Emergency Management (Carl Pumphrey) to ensure that the Chairman is current with day-to-day issues.

Supervisor Allen verbalized concerns in the event there is a possible dispute that may involve the Payroll Technician should there be a disagreement about time or other timesheet concerns.

The County Administrator advised there may be a potential issue in the future; however, she feels it's a lot to ask the Department Heads to be responsible for checking on staff members if they aren't familiar with the layout of the particular timesheet. In closing, she feels the Payroll Technician's signature during the interim will be verification that staff members showed up when they were supposed to and that weekly hours are shown. Also, if the Board is willing to go through a period of time with only the

employee's signature, this can be accomplished; however, she feels things should be very clear as to what the Payroll Technician will be certifying to.

Supervisor Allen suggested the Payroll Technician only be allowed to review the timesheets and have the Finance Director sign off.

Supervisor Allen feels the above referenced suggestion will eliminate the Payroll Technician in the event there is a problem; however, if she sees something, it would be more appropriate for the Finance Director to deal with, to which Supervisor Butler fully agreed.

After discussion, it was the consensus of the Board to have the Payroll Technician review the timesheets from the above referenced personnel and forward the timesheets onto the Finance Director for final approval.

Supervisor Elliott also added that the Board will not hold either of the above referenced individuals responsible for anything they may not be made aware of.

#### **h. Technology:**

##### **1. Website:**

- a. Mrs. Frye will continue to post the minutes to the "Documents and Forms" section of the website once they're approved.
- b. Mrs. Frye can post other documents to the "Documents and Forms" section of the website, as necessary.
- c. Web content page:
  - i. Maintaining the "Upcoming Meetings" page, and the contents of other pages, is time-consuming and requires training from the company that set up our website (i.e. "Webologie" – contact: [jsolek@webologie.com](mailto:jsolek@webologie.com)). It also requires taking on the responsibility of drafting the wording of items that will appear on the website. I do not believe there is a staff member who will have time for or be comfortable with this responsibility on a regular basis.
  - ii. Either contact Jill Solek-Giles for assistance (her schedule is such that she is not available for day-to-day tasks such as posting information) or ask Jacqueline to post documents to the "Documents and Forms" section.

##### **2. Projector, Monthly Meetings:**

- a. Convert monthly reports to electronic format: I recommend that Mrs. Frye pull all of the monthly reports into an electronic format in a meeting folder and have them ready on a jump drive or other mechanism for use on the auditorium computer/projector.
- b. Mrs. Frye cannot run the projector and take minutes at the same time. Any number of people can run the projector at the meetings.



- i. FLSA non-exempt employees: Make sure that non-exempt employees who are asked to cover night meetings accurately report their time/hours worked. They will be entitled to overtime pay (or comp time) for hours worked in excess of forty (40) hours in a given week. (FLSA does not allow you to pay them a stipend).
- ii. You could also ask a Department Head in attendance at the meetings to run the computer/projector. It really just involves opening and closing files on the computer monitor.

After discussion, Chairman Arrington suggested that Supervisor Dean be the point of contact for technology issues.

### 3. Courthouse:

- a. The County Administrator recommends that the Board consider entering into a semi-annual maintenance agreement with Clark Security.
- b. Robert Finks will trouble-shoot any major issues with the computerized security system.
- c. The Circuit and Juvenile Clerk's office staff should have responsibility for issuing security cards to court employees and other persons granted access to the courthouse.

In closing, she advised that Mr. Finks shouldn't be given the tasks, as the court staff can train and designate at least one (1) staff member to handle minor concerns.

Chairman Arrington asked if the Board should select a member to serve as a point of contact.

The County Administrator advised that the Chairman will need to sign off on all DEQ forms and will be the main point of contact. Additionally, she feels it will be best to allow Department Heads to call someone in the interim rather than to have to contact all five (5) Board Members.

Supervisor Elliott advised the Board will not interfere, but will serve as a resource for guidance and public relations issues.

The County Administrator advised that the Board will not be needed on a day-to-day basis and she doesn't feel there is a need for anyone to serve on a rotational business, as the employees can handle daily operations.

#### **i. General Consultation/Advise:**

The County Administrator recommended the Board designate one (1) member to serve as a point of contact for Department Heads and employees in each of the following

categories. Day-to-day, employees will have some need for consultation on issues and/or complaints that may arise:

- |    |                                              |                    |
|----|----------------------------------------------|--------------------|
| 1. | Building and Zoning:                         | Supervisor Butler  |
| 2. | Taxes – Treasurer & Commissioner of Revenue: | Supervisor Allen   |
| 3. | Procurement:                                 | Supervisor Dean    |
| 4. | Public Safety – Sheriff:                     | Supervisor Butler  |
| 5. | Public Safety – EMS:                         | Supervisor Allen   |
| 6. | Buildings and Grounds Maintenance:           | Supervisor Elliott |
| 7. | Courts:                                      | Supervisor Dean    |
| 8. | Transfer Station:                            | Supervisor Elliott |

*\*Chairman Arrington will sign all forms needed by DEQ\**

Additionally, the County Administrator advised that the BOS point person should serve as a 'sounding board' and should be responsible for keeping the other members of the Board informed of any decision matters that require action at a meeting of the Board.

In closing, she suggested that until a new County Administrator is in place, the Board should suspend the rule against voting at the Workshop meetings, as this would allow the Board the ability to act promptly on matters that require a vote of the Board, at least three (3) times each month.

After discussion, on motion of Supervisor Allen, seconded by Supervisor Dean, the Board voted to accept the aforementioned recommendation brought forth for general consultation/advice, with the following vote recorded:

James L. Arrington	Aye
Jerry J. Butler	Aye
J. Dave Allen	Aye
Eddie Dean	Aye
Pete J. Elliott	Aye

Supervisor Butler feels the Board is asking a lot of others (Mrs. Miller, Mr. Finks and Mrs. Frye) to take on additional duties in the absence of a County Administrator and feels that staff should be compensated at least ten percent (10%) above their regular salary through December 31, 2011.

Supervisor Elliott verbalized concerns, as there may be other staff members who assume additional duties as well.

Supervisor Dean suggested the Board wait until the end of October 2011 and see what transpires during the month and then make a decision.

The County Administrator suggested the Board look at salary adjustments for the upcoming budget cycle and not wait until January 2012 to begin investigation this issue.

After discussion, it was the consensus of the Board to wait until the end of October 2011 before making a decision on additional compensation.

Mr. Finks spoke of the importance of having Mrs. Frye, as she will be the one to assume all the telephone calls, visitors, and inquires that would normally be handled by the County Administrator.

Supervisor Elliott advised that the Board should hold a luncheon/reception for Ms. Robertson on Thursday at about 12:30 p.m., prior to the Workshop Session.

After discussion, it was the consensus of the Board and Mrs. Miller and Mrs. Frye were asked to organization the event, which will include staff and Ms. Robertson's family and guests.

Supervisor Dean thanked Ms. Robertson for her service to Madison County.

Supervisor Elliott asked about the water supply plan and whether it was funded by a grant.

Ms. Robertson advised that the water quality grant has been completed and the County adopted a Storm water Ordinance a while back based on requirements imposed by the State. Additionally, she has collected information and prepared water quality information into the plan. In closing, she advised that the plan is a joint venture with the Town and County, and the document needs to be sent to the State by November 1, 2011.

Ms. Robertson also advised that the plan includes census information provided by the VEC and that ninety (90) to ninety-five (95) percent of the Town and County water supply is groundwater. Additionally, she will try to have a representative of DEQ to attend the October Regular Meeting, and also spoke with Willie Lamar. In closing, she advised the Town of Madison will hold a town quorum on October 13, 2011 at 7:30 p.m. to discuss the issue, and also advised that some localities hired a consultant to perform their plan.

Ms. Robertson advised that she met with Dudley Pattie of RSA about all the information contained in the plan, and he advised that DEQ doesn't have the necessary staff to review all the information because of budget shortfalls and layoffs; therefore, he feels that there is no need to spend a lot of money on a consultant for Madison County since most of the water is groundwater, but would only provide methodology in more scientific language.

Supervisor Elliott questioned if the County Attorney will spearhead the upcoming public hearing.

The County Attorney advised that he will get with Mr. Pattie and request someone from RSA also attend the meeting session.

Chairman Arrington asked about the recent meeting on the bond release for the courthouse project.

The County Attorney advised that a closed session will be needed in the future to discuss concerns involving the bond issue, as he is waiting for additional information.

Ms. Robertson also advised there are additional issues of concern to include:

- a) VML/VACo quote: they have contacted several banks and obtained quotes for the proposed purchase of communications equipment;
- b) The Board will need to make a decision on this issue as soon as possible, as the first payment to Clear Communications, Inc. is November 1, 2011;

Ms. Robertson also reminded the Board of the upcoming reassessment that will need to be in place by January 1, 2013; therefore, she suggested the Board begin this process mid-year of 2012. In closing, she will provide a few names of firms that do this work, and suggested the Board work up an RFP shortly.

Ms. Robertson advised that the environmental consultant at the Transfer Station (Olver) has advised the County will need to draw up a new RFP for operations at the Transfer Station. The Board can draw up an RFP for consultant services and another RFP for the actual operator.

Ms. Robertson also advised that she has applied for long-term financing for the CIP based on the application the Board approved a while back; therefore, the Board will need to decide on this issue and follow up with VML/VACo and proceed.

The County Attorney reminded the Board to revisit the Shotwell Road issue, and guidance will be needed on this issue.

After discussion, the Board agreed to add the above referenced item to the October Regular Meeting Agenda.

Supervisor Elliott asked if anything has been heard from the Commonwealth Transportation Board (i.e. discontinuance of maintenance versus abandonment).

Ms. Robertson advised that it was her understanding that the County would be given thirty (30) to sixty (60) days from the date of the September Public Hearing to allow the Board time to make a determination of action (i.e. abandonment or ask that the road be discontinued),

Ms. Robertson advised it was relayed to her that in the event the Board 'does nothing', the VDOT workers will continue their work to completion; however, they would not make any promises as to 'what' or what they 'would not do' if the Board didn't take some sort of action.

Supervisor Butler asked if any information has been received as to whether the Commonwealth Transportation Board will discontinue maintenance of Shotwell Road.

Ms. Robertson advised the Board will need to undergo the official vote and proceed with a proposed request.

Supervisor Allen questioned that a member was invited to attend the September Regular Meeting, but didn't appear.

Supervisor Dean questioned as to how many other roads within the County and Commonwealth haven't been maintained for as many years as Shotwell Road, and why VDOT has found it so urgent to give sudden priority to Shotwell Road.

Supervisor Allen advised that he also received a letter from Louis and Susan Cable regarding their ideas about Shotwell Road.

Ms. Robertson apologized, but advised that the discussion for a special meeting can only consist of topics denoted.

Mr. Finks advised that he would like to meet with a representative from Clark Security, Inc. and re-negotiate the existing contract, as there is much in the existing contract that he doesn't feel the County needs.

After discussion, on motion of Supervisor Dean, seconded by Supervisor Allen, the Board authorized Robert Finks to meet with a representative of Clark Security, Inc. and re-negotiate the existing contract, with the following vote recorded:

James L. Arrington	Aye
Jerry J. Butler	Aye
J. Dave Allen	Aye
Eddie Dean	Aye
Pete J. Elliott	Aye

**i. Adjournment:**

With no further discussion or action being required by the Board, on motion of Supervisor Allen, seconded by Supervisor Elliott, Chairman Arrington adjourned the meeting, with the following vote recorded:

James L. Arrington	Aye
Jerry J. Butler	Aye
J. Dave Allen	Aye
Eddie Dean	Aye
Pete J. Elliott	Aye

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James L. Arrington, Chairman  
Madison County Board of Supervisors

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Jacqueline S. Frye, Acting Clerk to the Board

Date Adopted by the Board: October 11, 2011

Copies: James L. Arrington, Jerry J. Butler, J. Dave Allen, Eddie Dean,  
Pete J. Elliott, V. R. Shackelford, III & Constitutional Officers

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